

2008-009214

Klamath County, Oregon

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from: ALEX MCCLELLAN, Grantor

To: Fidelity National Title Insurance Company,
Successor Trustee

After recording return to(name, address, zip):

DEFAULT RESOLUTION NETWORK
4 Hutton Centre Avenue Suite 100
Santa Ana , CA 92707



06/23/2008 03:39:01 PM

Fee: \$31.00

TS No: 08-00336-6 - Loan No: 1000804618

ATE: 65942

Reference is made to that certain trust deed made by ALEX MCCLELLAN, as grantor, to STEWART TITLE OF OREGON, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC, as beneficiary, dated as of May 13, 2005, and recorded June 13, 2005, in the Records of Klamath County, Oregon, in Book M05 at Page 43794-16, covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R247708 - PARCEL 1; LOT 3, RIVER'S BEND, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

PARCEL 2: LOTS 1 AND 2, RIVER'S BEND, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent Payments

<u>FROM</u>	<u>THRU</u>	<u>NO. PMTS</u>	<u>INT. RATE</u>	<u>AMOUNT</u>	<u>GRAND TOTAL</u>
03/01/2008	06/20/2008	4	9.50000%	\$1,741.44	\$6,965.76

Late Charges

Grand Total Late Charges \$348.28

Beneficiary's Advances, Costs and Expenses

Grand Total \$ \$0.00

Attorney's Fees and Costs \$ 1,531.00

GRAND TOTAL REQUIRED TO REINSTATE \$8,845.04

#31-A

TS No: 08-00336-6

Loan No: 1000804618

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: The principal sum of \$219,970.76, together with interest thereon at the rate of 9.50000% per annum, from February 1, 2008 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs and any sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale. Including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110, on **October 31, 2008**, at the following place: **At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR**

FOR SALE INFORMATION CALL: **714-573-1965**

Website for Trustee's Sale Information: **www.priorityposting.com**

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property.

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred), together with costs, trustee's and attorney's fees, by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

FOR FURTHER INFORMATION CONTACT:

DEFAULT RESOLUTION NETWORK

4 Hutton Centre Avenue

Suite 100

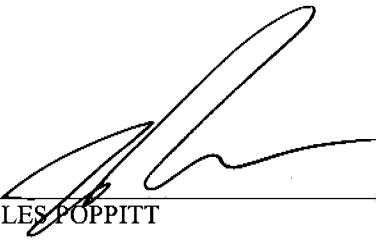
Santa Ana, CA 92707

714-668-8420

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: 6/20/08

**Fidelity National Title Insurance
Company, Successor Trustee**

X 

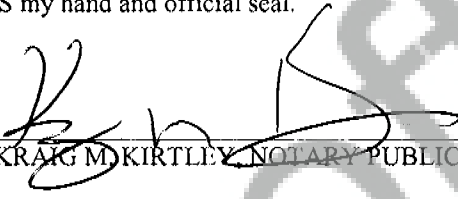
LES POPPITT

State of CALIFORNIA
County of ORANGE

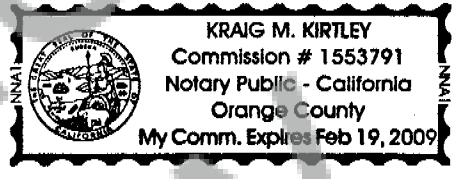
On 6/20/08 before me, the undersigned, Kraig M. Kirtley, A Notary Public in and for said State, personally appeared Les Poppitt proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature 

KRAIG M. KIRTLEY, NOTARY PUBLIC



UNOFFICIAL COPY

**THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**